

DAVID SAMSON
Attorney General of New Jersey
Attorney for Department of Health and Senior Services
R.J. Hughes Justice Complex
P.O. Box 112
Trenton, New Jersey 08625

By: Douglas M. Alba
Deputy Attorney General
(609) 984-8466

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
DOCKET NOS. HLTPA 02735-00S
02972-00S
04261-00S

MONOC,

Petitioner,

V.

DEPARTMENT OF HEALTH
AND SENIOR SERVICES

Respondent.

Administrative Action

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into between MONOC and the Department of Health and Senior Services.

WHEREAS, on or about February 16, 2000 (OAL Docket No. 02735-00S), March 21, 2000 (OAL Docket No. 02972-00S) and April 17, 2000 (OAL Docket No. 04261-00S), the Department of Health and Senior Services issued proposed penalty letters against MONOC alleging violations of N.J.S.A. 26:2H-1 et seq. and N.J.A.C. 8:40-1.1 et seq., which govern the licensure and survey of

mobility assistance vehicles and ambulance service providers; and N.J.S.A. 26:2K-17 et seq. and N.J.A.C. 8:41-1.1 et seq., which govern the mobile intensive care programs; and

WHEREAS, pursuant to N.J.S.A. 26:2h-14; N.J.A.C. 8:40-2.14(b) (e)6; N.J.S.A. 26:2K-15 and N.J.A.C. 8:41-2.7(b), the Department of Health and Senior Services assessed proposed penalties totaling \$600.00; and

WHEREAS, MONOC and the Department of Health and Senior Services have reached a settlement in the above captioned matter; and

WHEREAS, MONOC and the Department of Health and Senior Services desire to set forth their agreement to settle this matter here below;

NOW THEREFORE, MONOC and the Department of Health and Senior Services agree to settle this matter on the following terms:

1. The settlement agreement will be posted in the Department of Health and Senior Services' website.
2. Within 30 days of the execution of this Settlement Agreement, MONOC will make a payment of six hundred dollars (\$600) to the Department of Health and Senior Services. Payment shall be made by certified check or money order, made payable to the "Treasurer, State of New Jersey" and shall be forwarded to Karen Halupke, New Jersey Department of Health and Senior Services, Office of Emergency Medical Services, P.O. Box 360, Trenton, New Jersey 08625. This payment will be accepted in full satisfaction for the violations listed in the penalty letters dated February 16, 2000, March 21, 2000, and April 17, 2000.
3. The original penalty letters that were sent to MONOC will be posted on the Department of Health and Senior Services' website, for no more than one (1) year. This settlement agreement will be attached as an addendum to the penalty letters.

4. MONOC and the Department of Health and Senior Services agree that this Settlement is not intended as and does not constitute an admission of liability by MONOC.

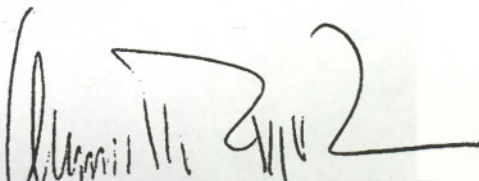
5. MONOC and the Department of Health and Senior Services agree that this Settlement is intended to be a final resolution of all issues arising out of these matters.

6. MONOC, for itself and on behalf of its owners, insurers, agents, employees, heirs, executors, personal representatives, successors and assigns, agrees to the terms described in this Agreement, in final settlement of any and all claims it has or may have with respect to the adequacy or correctness of the violations listed in the penalty letters dated February 16, 2000 (OAL Docket No. 02735-00S), March 21, 2000 (OAL Docket No. 02972-00S), and April 17, 2000 (OAL Docket No. 04261-00S), and releases the State of New Jersey and its Departments, officials, insurers, agents employees, heirs, executors, personal representatives, successors and assigns from all claims, demands, damages, causes of action or suits which have been, could have been or might have been made or prosecuted on account of any conduct of any party occurring at any time with respect to any pending or possible claim relating to the penalty letters dated February 16, 2000 (OAL Docket No. 02735-00S), March 21, 2000 (OAL Docket No. 02972-00S), and April 17, 2000 (OAL Docket No. 04261-00S), and the penalties cited therein.

7. MONOC and the Department of Health and Senior Services hereby waive any claim for payment of counsel fees incurred in connection with this Settlement.

8. By their signature, each party signing this Settlement Agreement represents and warrants that they are authorized to execute this Agreement.

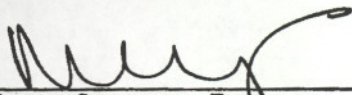
Date:



Vincent Robbins
President
MONOC
Petitioner

Date:

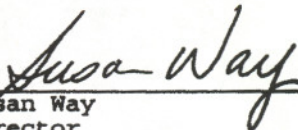
9/30/02



Morna Sweeney, Esq.
Attorney for Petitioner

Date:

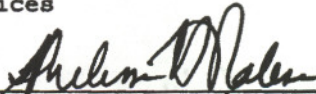
11/18/02



Susan Way
Director
Office of Emergency Medical Services
Department of Health and Senior
Services

Date:

12/6/02



Douglas M. Alba, Melissa H. Raksa
Deputy Attorney General
Attorney for Respondent